

# EXHIBIT 1

be granted by the Board of Regents under circumstances which provide adequately for the interests of the University.

1. A faculty member may hold appointive public office, the holding of which will not interfere with the interests of the University.

2. A faculty member may run for and hold local (especially nonpartisan, part-time) elective office without mandatory leave of absence if the performance of his or her University duties is not impaired thereby and if it can be demonstrated that election to the office will not create a conflict of interest detrimental to the University.

3. A faculty member may run for and hold other elective offices provided that prior arrangements are made to protect the interests of the University, such as reduced load with an equitable adjustment in compensation during extensive campaigning or leave of absence without pay when full-time service is required.

B. A request to hold appointive office or to run for and hold local office without leave, or a request for an adjustment in the terms of his or her University appointment in order to run for and hold other public office, must be forwarded to the President through the chair of the department and the dean of the college concerned. When significant adjustments are required, they will normally be granted for reasonable but limited periods.

C. This policy shall apply to staff members also to the extent permitted by applicable civil service laws and regulations.

*BR, May 1966; Executive Order No. 35 of the President, June 1, 1972 and May 1, 1985*

decides to forego the patenting or other commercialization of an invention, it shall formally waive its rights to the invention. Upon the receipt of such waiver, and assuming that no additional University resources will be invested, the inventor may file a patent application and/or grant a license on his or her own. The University has no vested interest in inventions conceived and developed by employees entirely on their own time and without the use of University facilities. To clarify the inventor's title to such inventions and assure compliance with the requirements of any sponsors, all inventions during employment with the University shall be reported to the University's Office of Technology Transfer for determination of the degree of University interest.

D. Research funded wholly or in part by an outside sponsor is subject to this policy as modified by the provisions of the agreement covering such work. Employees engaged in sponsored research are bound by the provisions of the agreement between the University and the sponsor. Title to any inventions conceived or first reduced to practice in the course of research supported by Federal agencies, industry, or other sponsors shall generally vest in the University. In rare cases, an industrial sponsor may possess a dominant patent position in a certain technology area so that any patent the University might seek would be of little or no value. For this or other reasons, an exception to the University title policy may be approved by the University's Office of Technology Transfer when to do so will honor the general principles of this policy, protect the equities involved, and satisfy the requirements of the parties.

E. Industry supported research is valued by the University when it embraces a proper balance between the University's educational mission and industry's quest for the development of commercial products, processes, and services. Interaction with industry may take any of several forms, including grants, contracts, consortia agreements, and affiliate programs. Industry sponsors may be assured of at least a nonexclusive license to inventions conceived or developed with their support. Where the sponsor uses the invention entirely within its own operations, the license may be royalty-free. Where the sponsor, or a third party, manufactures and sells products, services, or processes based on the invention, reasonable royalty payments to the University, or its assignee, are required. If necessary for the effective development and marketing of a University invention, an exclusive license may be granted, usually for a limited time period. Where an invention is not identifiable in advance, the University may grant the sponsor an option to an exclusive license if the sponsor agrees to finance the cost of the University's patent application and observe certain diligence requirements that will ensure promptly bringing the invention into public use. The patent financing may be treated as an offset against royalties payable when the invention is marketed.

F. Although the University retains the right to patent items itself or to use other patent management firms, the University has designated the Washington Research Foundation as its primary patenting and licensing agent. The Foundation was formed specifically to provide patenting and licensing assistance to the University and other research centers in the State. The University also has agreements with Research Corporation of New York and Battelle Development Corporation in Columbus, Ohio as patent and license agents.

G. Both the University and the inventor are entitled to a share of royalty income from licensed inventions; the University on the basis of salary and facilities support for the inventor and the cost of patent or license administration; and the inventor on the basis of creative activity, documenting the invention, and assisting as necessary with commercialization. To recognize creativity and to encourage prompt disclosure of inventions, the University allocates the greater share of early royalty income to the inventor. The remainder is dedicated to further research by allocating shares to the college/department (or other unit) in which the invention was conceived or first reduced to practice and to the Office of Research and the Graduate School.

## Chapter 7

### PATENT, INVENTION, AND COPYRIGHT POLICY

#### Section 1. Patent and Invention Policy

A. This policy covers both patented and nonpatented technology, including computer software with commercial value, and is applicable to all faculty and staff employees. The policy is intended to show the University's positive attitude toward transfer of results of its research to the private sector.

B. The purpose of university research is to seek new knowledge for the general benefit. Although university research is not directed intentionally toward inventions, commercially valuable inventions do often result, and it is generally in the best interests of the University and the public that patents be obtained and/or licenses granted as described in this policy. **Inventions** shall be promptly disclosed to the University's Office of Technology Transfer and all concerned shall cooperate to ensure prompt initiation of appropriate technology transfer actions. The term "invention" means any invention or discovery which is or may be patentable or otherwise protectable as to ownership. An invention may be a process, machine, manufacture, composition of matter or design, or any new or useful improvement thereof. An invention is deemed to be "made" when it is conceived or first actually reduced to practice.

C. As a condition of employment, and even if a specific patent agreement is not signed, University employees agree to assign all inventions in which the University has an interest to the University, to an invention management agency designated by the University, or to the sponsor if required under agreements governing the research. Employees shall execute documents of assignment and do everything reasonably required to assist the assignee(s) in obtaining, protecting, and maintaining patent or other proprietary rights. The University shall have no vested interest in inventions developed by students who are not employees unless commitments to a sponsor are involved. If the University determines that it has no interest in an invention or